IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

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PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 13323 of 2002

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Between:

1. Ch. Ramakrishna Rao, S/o. Venkateswarlu, aged 20 years, Student,

R/o.Pothavaram Village, Prakasam District.

2. S.V. Suresh Babu, S/o. Prabhakara Rao, Aged 19 years,
R/o. Singarayakonda, Prakasam District.

3. M. Thirumala Rao, S/o. Suryanarayana, Aged 19 years,
R/o. Servareddypalem, Prakasam District.

4. V. Rajendra Babu, S/o. Sreeramulu, aged 19 years, R/o.Maddipadu

Prakasam District.

5. B.V. Subba Rao, S/o. Subba Rao, Aged 20 years,

R/o. Yedugundlapadu, Prakasam District.

6. K. Siva Prasad,S/o. Mohana Rao, Aged 18 years, R/o.Medharametla

Prakasam District.

7. D. Anil Kumar, S/o. Sambasiva Rao, Aged 18 years, R/o.Medharametla

Prakasam District.

8. Sk. Basha Saheb, S/o. Beeba Saheb, Aged 17 years, R/o.Jammulaplem

Prakasam District.

9. Sk. Mastanvali, s/o. Subhan Saheb, Aged 17 years, R/o. Jammulapalem

Prakasam District.

10. P.N.K.V. Prasad, S/o. Satyanaraya, Aged 17 years,

R/o.Gummalampadu, Prakasam District.

11. K. Ramakrishna, S/o. Subbarayudu, Aged 18 years, R/o. Paletipadu

Prakasam District.

12. K.V. Subba Rao, S/o. Subbaiah, Aged 19 years, R/o. Alluru

Prakasam District.

13. P. Ramakrishna, S/o. Mamudaiah, Aged 19 years, R/o. Doddavaram

Prakasam District.

14. P. Surendranath, S/o. Subba Rao, Aged 19 years,

R/o.Singarayakonda, Prakasam District.

15. Y. Hari Babu, S/o. Basavabrahma Rao, Aged 19 years,

R/o. Deverampadu, Prakasam District.

16. K. Srinivasulu, S/o. Chalapathi Rao, Aged 19 years, R/o. Madanur

Prakasam District.

17. M. Suneetha, D/o. M. Ramanjaneyulu, Aged 19 years,

R/o.Sckolaohanakota, Prakasam District.

18. M. Kalyani, D/o. Sankar Rao, Aged 19 years, R/o. Tellabadu

Prakasam District.

19. M. Ravi Kiran, S/o. Raghavaiah, Aged 19 years, R/o.Uppugundur

Prakasam District.

20. P.V. Subba Rao, S/o. Anjaiah, Aged 20 years

R/o. Doddavarapupadu, Prakasam District.

21. M. Suresh, S/o. Balakrishna, Aged 22 years,

R/o. Sarvareddypalem, Prakasam District.

22. P. Seshagiri Rao, S/o. Veeraiah, Aged 22 years, R/o.Tangutur

Prakasam District.

23. D. Satish, S/o. Chandra Sekhar Rao, Aged 19 years

R/o. Tangutur, Prakasam District.

24. Sk. Saibabu, S/o. Moulasaheb, Aged 19 years, R/o. Tangutur

Prakasam District.

25. Y. Tilak, S/o. Ramakoteswara Rao, Aged 19 years, R/o. Pothavaram

Prakasam District.

... PETITIONERS

AND

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1. Government of Andhra Pradesh rep.by its Secretary, Education Department, Secretarait Buildings, Hyderabad.

2. A.P. State Council of Higher Education, Government of Andhra Pradesh, Hyderabad.

3. A.P. State Road Transport Corporation, represented by its Managing Director, Hyderabad.

4. A.P. State Road Transport Corporation, represented by its Regional Manager, Ongole, Prakasam District.

5. Andhra Kesari Vidyakendram Degree College, represented by its Correspondent, Ongole, Prakasam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or direction more particularly in nature of mandamus by declaring the action of the respondents in denying concessional bus passes to the students of 5th respondent college on par with other recognized colleges as arbitrary, illegal and discriminatory and direct the respondents to extend the facility of concessional bus passes to the students of 5th respondent college by issuing appropriate writ of mandamus, order or direction

Counsel for the Petitioners: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent Nos.1 and 2: GP FOR HIGHER EDUCATION

Counsel for the Respondent Nos.3 and 4: MR. R. MANMADHA REDDY

The Court made the following:

ORDER:

In this Writ Petition, the condition imposed by first respondent while granting permission for starting Private Un-aided Degree College, which prohibit the College from making recommendations for issue of bus passes and scholarships, is challenged. Strong reliance is placed on the judgment of this Court in Writ Petition No.28965 of 1997 and batch, dt.15.3.1999 wherein it was laid down:

> Under the circumstances, the Writ Petitions are disposed of with a direction that the petitioners – students and similarly situate students shall be extended the benefit of scholarships for Scheduled Castes, Scheduled Tribes and Backward Classes and they shall also be issued concessional bus and railway passes in accordance with their respective rules and regulations without reference to the stipulations made by the Intermediate Board in respect of these two benefits while granting recognition. If any applications are already pending before the authorities for extension of these benefits, the same shall be considered in accordance with the rules and regulations.

This Court while admitting the Writ Petition passed interim orders directing to issue bus passes to petitioner without referring to proceedings issued by first respondent. In that view of the matter, no further orders are necessary in this Writ Petition.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

06.10.2004.

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To

1. The Secretary, Education Department, Government of Andhra Pradesh, Secretarait Buildings, Hyderabad.

2. A.P. State Council of Higher Education, Government of Andhra Pradesh, Hyderabad.

3. The Managing Director, A.P. State Road Transport Corporation, Hyderabad.

4. The Regional Manager, A.P. State Road Transport Corporation, Ongole, Prakasam District.

5. The Correspondent, Andhra Kesari Vidyakendram Degree College, Ongole, Prakasam District.

6. Two CCs to the Government Pleader for Higher Education, High Court Buildings, Hyderabad (O.U.T)

7. Two C.D. Copies.